IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 26370 of 2007(L)

PETITIONER:

THE CHITTOOR GOVT. SERVANTS CO-OP. SOCIETY LTD., NO. E 160,CHITTOOR, PALAKKAD DISTRICT,REPRESENTED BY ITS MANAGER.

BY ADV. SRI.M.PAUL VARGHESE
SRI.N.A.KUNJUMON

RESPONDENTS:
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1. TAHSILDAR, THE CHITTOOR TALUK, CHITTOOR.P.O., PALAKKAD.

2. DISTRICT COLLECTOR, PALAKKAD DISTRICT, CIVIL STATION P.O., PALAKKAD.

3. ACCOUNTANT GENERAL, KERALA, THIRUVANANTHAPURAM.

4. STATE OF KERALA REPRESENTED BY SECREARY TO GOVERNMENT DEPARTMENT OF REVENUE, GOVERNMENT SECRETARIAT,THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 26370 OF 2007
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Dated this the 25th day of September, 2007

J U D G M E N T

The petitioner was aggrieved by Ext.P9, an order issued by the 1st respondent demanding Rs.10,22,200/- towards the amount due under the Kerala land Conservancy Act. It is submitted that subsequently Ext.P10 order has been issued requiring the petitioner to remit the amount or else to vacate the premises. It is also stated in Ext.P10 that if the petitioner does not vacate the premises within the period, they will be forcefully evicted. In pursuance to Ext.P10, notice has been issued under Rule 11 and the same has been produced as Ext.P11. Ext.P10 is an appealable order and therefore it is for the petitioner to file an appeal to the Revenue Divisional Officer concerned and writ petition is not the remedy.

2. In view of the above, I dispose of the writ petition directing that the petitioner shall file an appeal before the Appellate Authority within 2 weeks from today, and that in the

meanwhile, further proceedings pursuant to Ext.P11 shall be kept in abeyance. It is thereafter for the petitioner to obtain appropriate interim orders from the Appellate Authority.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp